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PATENT

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No.: 09/285,429 Confirmation No.: 3707  
Applicant(s): Shirley *et al.*  
Filed: April 2, 1999  
Art Unit: 1656  
Examiner: Kam, Chih Min  
Title: INJECTABLE FORMULATIONS CONTAINING SUCCINATE

Docket No.: 5784-9 (035784/158956)  
Customer No.: 27476

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE BOARD OF PATENT  
APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)**

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated June 6, 2006, rejecting the following Claims 21-34 and 45-46.

The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed.

- ☐ Applicant claims small entity Status.
- ☒ A check is enclosed in the amount of \$1,520.00 for: \$500.00 for the Notice of Appeal Filing Fee and \$1,020.00 for the Petition for 3-Month Extension of Time Fee.
- ☐ Please charge Deposit Account No. 16-0605.
- ☒ Any additional fee or refund may be charged to our Deposit Account No. 16-0605.
- ☒ A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

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Respectfully submitted,

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Date of Deposit: December 5, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
Polly P. Burton